

nobody should be allowed to interfere with those operations or assist somebody in escaping and so forth. What you are doing with this provision that you have here is affirmatively saying that these people may interfere to stop the agency from doing its job. They may interfere for the purpose of helping somebody escape. They may interfere for the purpose of making monetary and personal gain. That is what this does and contrary to what Senator Luedtke says, I think this would give them an affirmative defense against an action because you've...the crime would be interfering with a police radio. These people, if they are reporters or whatever, can legally now interfere and there can be no criminal sanction imposed on them for it.

SENATOR BARNETT: Because they are exempt from these three sections.

SENATOR CHAMBERS: Right, they are exempted.

SENATOR BARNETT: Thank you.

PRESIDENT: Senator John DeCamp.

SENATOR DE CAMP: I just don't think we want to adopt the amendment. The law is the way it is now; it's working good. As an old police reporter for about five years, the problems he's envisioning haven't developed. I just don't think you want to adopt the amendment.

PRESIDENT: Senator Maresh.

SENATOR MARESH: Mr. President, I believe we can clear this up by in line 19, adding "(c)" after "(2)" then the only part that would apply to the reporters and the newspapers would be those as specified as "(c) results in the use of such communication for monetary or personal gain". By adding "(c)" this would apply only for that one part of the exemptions. I have a question of Senator Chambers. Would this clear the problem up Senator Chambers?

SENATOR CHAMBERS: Maybe if I understood what you are doing, I could answer the question. Just by the insertion of "(c)" I'm not sure what you are saying. Could you say it again and let me look and see what you are doing.

SENATOR MARESH: That would restrict exemptions only to this monetary and personal gain for reporters and those people... otherwise it would not apply to the other provisions of intercepting calls for aiding people to escape and things like that.

SENATOR CHAMBERS: Senator Maresh, I can't say that...maybe Senator Barnett can answer because he seems to understand what you say.

SENATOR MARESH: Senator Barnett, would that clear the exemptions...

SENATOR BARNETT: I don't know whether it would clear it for Senator Chambers but this is the way I understood it from one Bohemian to another. You said, have his amendment read strike Subdivision (3) (c).

SENATOR MARESH: No, in line 19 would state "the provisions of Subsection (2) (c) of this sections shall not apply to:" then it mentions reporters and those.